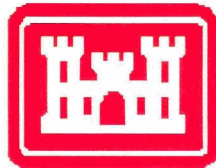


**FINAL ENVIRONMENTAL ASSESSMENT AND
FINDING OF NO SIGNIFICANT IMPACT
FOR:**

**THE LOS UTES ACEQUIA PIPELINE PROJECT
SANDOVAL COUNTY, NEW MEXICO**



**US Army Corps
of Engineers®
Albuquerque District**

Prepared By:
U.S. Army Corps of Engineers
Albuquerque District

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FINDING OF NO SIGNIFICANT IMPACT FOR THE LOS UTES ACEQUIA REHABILITATION PROJECT

The U.S. Army Corps of Engineers (Corps), Albuquerque District, in cooperation with the State Engineer's Office of the State of New Mexico, the Natural Resources Conservation Service (NRCS), and the Los Utes Acequia Association, are planning a project to rehabilitate the Los Utes Acequia system.

The De Los Utes Acequia Diversion, and associated ditch system is located along Los Utes Creek in Sandoval County, New Mexico (see project maps, figures 1 and 2). The acequia diversion is approximately 4 miles northeast of New Mexico State Hwy 550 and the village of Cuba, Sandoval County, New Mexico. The project area is located entirely on private land owned by members of the Acequia Association.

The proposed rehabilitation work on the Los Utes Acequia will be conducted under Section 1113 the Water Resources Development Act of 1986 (Public Law 99-662; 33 U.S.C. 2201 et. seq.), as amended. The Act authorizes the Acequia Rehabilitation Program for the restoration and rehabilitation of irrigation ditch systems (acequias) in New Mexico. Section 215 of the Flood Control Act of 1968, Public Law 90-483, as amended, provides that the secretary of the Army may enter into an agreement to credit or reimburse the costs of certain work accomplished by states or political subdivisions thereof, which later is incorporated into an authorized project. The Secretary of the Army, acting through the Chief of Engineers, and, when he/she determines it to be in the public interest, may enter into agreements providing for reimbursement to States or political subdivisions thereof for work to be performed by such non-Federal public bodies at water resources development projects authorized for construction under the Secretary of the Army and the supervision of the Chief of Engineers.

The Los Utes Acequia provides irrigation water to agricultural producers on approximately 181 acres of land and its' ditches have been in operation since the early 1800's. Because the Los Utes Ditch is earthen, water losses occur from seepage through porous soils and holes in the bank. Consequently, the ditch is inefficient, unreliable, and costly to maintain. Due to the amount of seepage and associated water losses, several irrigators lower in the acequia system rarely have usable water. Although a holistic hydraulic analysis of water loss has not been completed, it is estimated that 50-60% of the water diverted from Los Utes Creek is lost due to evaporation, evapo-transpiration and seepage through the ditch banks. The project will not change/affect water rights, or the amount of flows diverted from Los Utes Creek, as the creek is now entirely diverted for use in the acequia. It is expected that the amount of usable water originally diverted from Los Utes Creek will increase by implementing this project. The extent of this increase however has not been quantified, and is not completely or partially implied.

Two alternatives were considered in this EA to address problems of water delivery associated with the De Los Utes Acequia rehabilitation project:

Alternative 1: No action – No work will be performed by the Corps to address the current problems associated with the existing earthen ditch or replacement of deteriorating infrastructure

components. The acequia will continue to function as is at a high cost to the De Los Utes Acequia Association in monetary terms of operation and maintenance.

Alternative 2: Implementation of the proposed action consisting of: Replacing 1545 feet of existing open earthen ditch with 12" diameter PVC pipe, rebuilding two lateral diversion structures (tap-boxes), which service adjacent pastureland/cropland, and the installation of a 12-inch diameter sluice box to mitigate sediment accrual and deposition in the newly installed pipeline (see figures 1 & 2 for proposed project component locations).

No fill material will be introduced to Los Utes Creek or other waters of the United States during or after construction of this project. There are no delineated wetlands associated with this project. Thus, the project complies with Executive Order 11990, Protection of Wetlands.

Executive Order 11988 (Floodplain Management) provides Federal guidance for activities within the floodplains of inland and coastal waters. The proposed activities will not adversely affect stream hydrology, existing flow patterns, or cause increases in the extent, intensity and or duration of flooding events. No additional development or disturbance of the floodplain is likely to result from this project. Therefore, the proposed action complies with Executive Order 11988.

The De Los Utes Acequia is considered eligible for inclusion to the National Register of Historic Places under Criterion (a) of 36 CFR 60.4. The proposed disturbances will be confined to two tap-boxes and 1,545 feet of the acequia itself, which will be altered from an open earth ditch to a buried pipe. The project has the potential to affect one historical element of the acequia, the "open ditch" design. However, the two places where the ditch runs near highly visible areas will be left open for aesthetic purposes. The proposed project will not affect other historic elements such as alignment and function, which contribute to the ditch's eligibility to the National Register. The two tap-boxes are recent, and do not contribute to the historic character of the acequia. No Traditional Cultural Properties are known to exist in the area. Based on this information, the Corps is of the opinion that there will be "No Adverse Effect to Historic Properties" by the proposed undertaking or on the historic and cultural resources of the region.

The planned action will provide the De Los Utes Acequia Association with reliable irrigation water to all authorized users. Additionally, the project will improve the overall infrastructure of the acequia system. Since the project will be implemented during the late fall and or winter months during plant dormancy and non-migratory bird periods, only short term negligible effects to land use, aesthetics, soils, air, noise, vegetation, and wildlife will occur during construction. No impacts will occur to climate, wetlands, waters of the U.S., special status species, floodplains, socioeconomics, environmental justice or cultural resources. The project will not affect water quality in Los Utes Creek as the entire creek is diverted for irrigation purposes. The project will have benefits to soil stability along the acequia system, land use and water resources. The proposed project will not result in any moderate or significant, short-term, long-term or cumulative adverse effects to biological or cultural resources.


To ensure project success, the De Los Utes Acequia Association has committed, and will be responsible for the operation and maintenance of this project after completion.

To ensure soil stability and reduce vegetation losses, disturbed areas of the ditch, resultant from construction activities, will be replanted with coyote willow whips and reseeded with a

native seed mix. Willow planting densities and seed mix specifications will be provided to the successful contractor of this project.

The planned action is being coordinated with Federal, State, and local government agencies with jurisdiction over the biological and cultural resources of the project area. Based upon these factors and others discussed in detail in the following EA, the proposed action is recommended, and will have negligible effects on the human environment. Therefore, an Environmental Impact Statement (EIS) will not be prepared for the proposed improvement work on the De Los Utes Acequia rehabilitation project.

22 Feb 07
Date


B.A. Estok
Lieutenant Colonel, U.S. Army
District Commander